

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**SOLLAC, S.A. and UGINE, S.A.,**

Plaintiffs,

Y.

**AK STEEL CORPORATION,**

Defendant.

Case No. C-1-00-619

Judge Susan Dlott

**AGREED ORDER AMENDING  
PROTECTIVE ORDER**

AK Steel Corporation has requested coverage from its insurance carrier in connection with the settlement of this action. In making a coverage determination, the insurer or its counsel has requested certain documents and information that were provided in discovery in this action and that are not subject to disclosure under the terms of the protective order entered in this action on February 7, 2003. To facilitate that coverage determination and the resolution of any dispute or litigation resulting from the coverage determination, the Court, with the parties' agreement, enters this amendment to the protective order.

AK Steel and its counsel may disclose to AK Steel's insurer and its counsel documents and information designated under the protective order as confidential or highly confidential by, and containing information confidential or highly confidential to, the plaintiffs, their parent, subsidiaries, or affiliates (collectively "Usinor"). For purposes of this order, such documents and information are referred to as Usinor Confidential Documents. The conditions under which AK Steel and its counsel may disclose Usinor Confidential Documents are as follows:

1. AK Steel may provide one set of copies of Usinor Confidential Documents to one designee of the insurance company and one set to one designee of the insurance company's outside attorneys, provided that those individuals and anyone who works with them who will see or have access to the Usinor Confidential Documents executes an undertaking in the form attached as Exhibit 1. AK Steel will promptly provide the executed undertaking to counsel for Usinor upon their execution by the insurance representatives and their counsel.

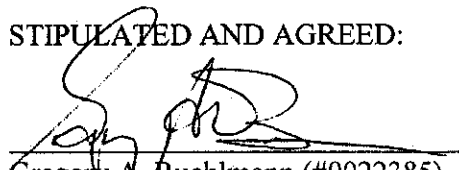
2. The insurance carrier and its counsel must also provide Usinor's counsel with their separate written assurances that they will use the Usinor Confidential Documents only for purposes of AK Steel's insurance coverage claim/dispute and for no other purpose. They must also agree not to make any copies of those materials. Finally, they must agree to return the Usinor Confidential Documents to Usinor's counsel after they have completed their review of those materials.

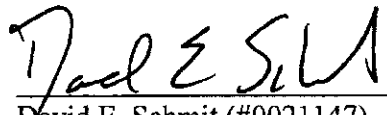
3. The parties have agreed on an initial list of Usinor Confidential Documents to be disclosed to AK Steel's insurer and the insurer's outside attorneys. Upon three business days' written or e-mail notice to Usinor's counsel, AK Steel's counsel may in the future disclose additional Usinor Confidential Documents to the insurance company designee and/or the designee of the insurance company's outside attorneys for purposes of AK Steel's insurance coverage claim/dispute. Such future disclosures are subject to the other terms of this agreement. If Usinor objects to a future disclosure after notice from AK Steel but before disclosure occurs, AK Steel will not make the disclosure pending a negotiated or Court-ordered resolution of the objection.

provided that, within one week of its objection, Usinor moves the Court for relief or schedules a hearing with the Court.

Except as modified by this order, all other provisions of the protective order entered in this action on February 7, 2002 remain in full force and effect.

STIPULATED AND AGREED:

  
Gregory A. Ruehlmann (#0022385)  
David A. Pepper (#0071739)  
SQUIRE, SANDERS & DEMPSEY L.L.P.  
312 Walnut Street, Suite 3500  
Cincinnati, Ohio 45202  
(513) 361-1200

  
David E. Schmit (#0021147)  
Ann G. Robinson (#0064234)  
FROST BROWN TODD LLC  
201 East Fifth Street, Suite 2200  
Cincinnati, Ohio 45202  
(513) 651-6800

So ORDERED this \_\_\_\_\_ day of June, 2004.

  
UNITED STATES DISTRICT JUDGE

**EXHIBIT 1 – AGREEMENT REGARDING PROTECTIVE ORDER**

1. I understand that I will be receiving information obtained through discovery in connection with the lawsuits entitled *Sollac and Ugine v. AK Steel Corp.*, No. C-1-00-619 (S.D. Ohio), *Armco Inc. v. Sollac and Ugine*, No. C-1-98-804 (S.D. Ohio) and *AK Steel Corp. v. Usinor, S.A., et al.*, No. C-1-01-730 (S.D. Ohio).

2. I am aware that a Protective Order dated February 7, 2002 and an Agreed Order Amending Protective Order dated June \_\_\_, 2004 have been entered by the United States District Court for the Southern District of Ohio. I have been provided with a copy of these orders and I have read and understand the prohibitions of the orders.

3. I agree to be bound by the terms of the Protective Order and the Agreed Order Amending Protective Order.

4. I further agree that I will only use the information relating to these lawsuits for purposes of AK Steel's insurance coverage claim/dispute and for no other purpose. I agree to provide separate written assurances that I will not use such information for any other purpose.

5. I agree not to copy or duplicate any materials provided to me pursuant to the Protective Order or Agreed Order Amending Protective Order.

6. I further agree to return all documents that are provided to me relating to these lawsuits after completing my review to Frost Brown Todd, LLC, 2200 PNC Center, 201 East Fifth Street, Cincinnati, Ohio 45202-4182.

DATE: \_\_\_\_\_

\_\_\_\_\_  
[Name]

\_\_\_\_\_  
[Employer]

\_\_\_\_\_  
[Signature]

Telephone: \_\_\_\_\_

Facsimile: \_\_\_\_\_